

CALIFORNIA COASTAL COMMISSION
NORTH COAST AREA
FREMONT, SUITE 2000
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W 13b



Filed: June 16, 1998
49th Day: August 4, 1998
Staff: Jo Ginsberg
Staff Report: June 24, 1998
Hearing Date: July 8, 1998
Commission Action:

STAFF REPORT: APPEAL

SUBSTANTIAL ISSUE

LOCAL GOVERNMENT: City of Fort Bragg

DECISION: Approval with Conditions

APPEAL NO.: A-1-FTB-98-56

APPLICANT: CHARLES BAXMAN

PROJECT LOCATION: 1211 South Main Street, Fort Bragg, Mendocino County; APNs 018-440-55, 018-440-56.

PROJECT DESCRIPTION: Demolition of an existing commercial building and construction of a two-story, 43-unit motel, parking, and landscaping.

APPELLANT: Friends of Fort Bragg

AGENTS FOR APPELLANT: Roanne Withers & Ron Guenther

SUBSTANTIVE FILE DOCUMENTS: City of Fort Bragg Local Coastal Program; Fort Bragg CDP 18-92/96/ SCR 4-92/96/ SA 5-98; Final EIR for Emerald Dolphin Inn.

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STAFF RECOMMENDATION:

The staff recommends that the Commission OPEN AND CONTINUE the public hearing to determine whether substantial issue exists with respect to the grounds on which the appeal has been filed for the following reasons:

Pursuant to Section 30621 of the Coastal Act, an appeal hearing must be set within 49 days from the date an appeal of a locally-issued coastal development permit is filed. The appeal on the above-described decision was filed on June 16, 1998. The 49th day falls on August 4, 1998. The only meeting within the 49 day period is July 7-10. In accordance with the California Code of Regulations, on June 16, 1998, staff requested all relevant documents and materials regarding the subject permit from the City of Fort Bragg, to enable staff to analyze the appeal and prepare a recommendation as to whether a substantial issue exists. The City permit file information had not been received as of the day of the final mailing of staff reports to the Commission and interested parties on items on the Commission's July meeting agenda. Thus, the requested information was not received in time for the staff to review the information for completeness or prepare a recommendation on the substantial issue question. Consistent with Section 13112 of the California Code of Regulations, since the Commission did not timely receive the requested documents and materials, the Commission must open and continue the hearing open until all relevant materials are received from the local government.

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